

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

LESLIE A. SCHULZ,

Defendants.

8:13CR347

ORDER

This matter is before the court on defendant's MOTION TO CLARIFY OR MODIFY TEXT ORDER ENTERED NOVEMBER 20, 2013, AND RESCHEDULE PRETRIAL MOTION DEADLINE [28]. Upon review of the court's file, it has been found that the co-defendant in this case was given until January 7, 2014 to file pretrial motions. For good cause shown, I find that the motion [28] should be granted. The defendant will be given an approximate 33-day extension. Pretrial Motions shall be filed by January 7, 2014.

IT IS ORDERED:

1. Defendant's MOTION TO CLARIFY OR MODIFY TEXT ORDER ENTERED NOVEMBER 20, 2013, AND RESCHEDULE PRETRIAL MOTION DEADLINE [28] is granted. Pretrial motions shall be filed on or before January 7, 2014.

2. The defendant is ordered to file the affidavit required by NECrimR 12.1(a) regarding speedy trial as soon as practicable.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between December 5, 2013 and January 7, 2014, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this

case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

Dated this 9th day of December, 2013.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge